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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert James Monson and Wesley Eugene Revely
Serial No.: 09/694,458 Examiner:
Filed: 10/23/00 Group: 3632
For: SHOCK AND VIBRATION SYSTEM

DECLARATION OF CARL L. JOHNSON

I Carl L. Johnson Reg. No. 24, 273 state:

That I am the attorney of record in the above identified patent application;

That I prepared and filed the above identified patent application by Express mail on October 23, 2000;

That on December 26, 2000 I received a notice stating that a page of the specification had been omitted, namely Page 5 of the above identified patent application;

That as part of my process of filing a patent application the specification and claims which are transmitted to the Patent Office are copied, stapled together and placed in the patent file;

In response to the notice of missing parts December 26, 2000, I immediately reviewed my above identified patent file;

That I found a copy of the transmittal sheet together with a copy of 12 sheets of the specification, (which included page 5, and three sheets of drawings) stapled together;

That it is my customary and usual practiced in the filing of each and every patent application that prior to placing the application in the envelope for mailing to the Patent Office I review and count each page of the specification, claims and drawings to ensure that no page has been left out during the copying process;

That in the filing of the above identified patent application I counted 12 pages of specification and claims which included page 5;

That enclosed is a copy of a return post card showing that 12 pages were sent and received in the Patent Office on 10/23/00;

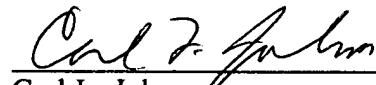
That the return post card does not indicate that only 11 sheets of the application were received by the Patent Office;

That the return post card was prepared by Thomas Phung a third year law student who works in the office of Jacobson and Johnson; and

That enclosed is a declaration of Thomas Phung stating that he prepared that copy of the above identified patent application and the post card as well as statement on my instructions to him regarding the importance of checking to see if each page of the specification, claims and drawings are included with the application filed in the U.S. Patent Office.

December 12, 2000

Date


Carl L. Johnson
Reg. No 24,273
Attorneys for Applicant



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DECLARATION OF THOMAS PHUNG

I Thomas Phung state:

That I am a third year law student that works part time in the Law Office of Jacobson and Johnson;

That one of my duties includes preparing the transmittal letter and making photocopies of the specification, claims and drawings prior to submitting a patent application to the U.S. Patent Office.;

That when I make the photocopies I also prepare a return post card listing the number of sheets in the patent application as well as the number of sheets of drawings;

That the copy of the return post card EX. A was prepared by myself for the above identified patent application and states that 12 pages were included with the above identified patent application together with 3 sheets of drawings;

That I prepared the photocopies of the above identified application as well as the postcard, which lists 12 sheets of specification and 3 sheets of drawings and that I presented them to Carl Johnson for his signature and filing in the Patent Office;

That in reviewing the above identified file on December 26, 2000, I found a copy of the transmittal sheet together with a copy of 12 sheets of the specification, (which included page 5, and three sheets of drawings) stapled together;

That I have observed Carl Johnson counting and reviewing each page of specification and claims prior to placing the application in an envelope for mailing to the U.S. Patent Office;

That he has specifically instructed me that I should always check to make sure that the application includes all the pages of specification and drawings and that information should be listed on the return post card;

That I have worked for Mr. Carl Johnson since May 2000 and during that time I have prepared numerous copies of patent applications and transmittal letters for him to review and sign and that during that time I have never failed to observe him check to make sure that all pages of the specification and the drawings are included with the patent application prior to inserting the papers in an envelope addressed to the Commissioner of Patents;

I the undersigned hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statement were made with the knowledge that willful false statements and like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date 12/26/2000

By Thomas Phung
Thomas Phung